

Before the
Federal Communications Commission
Washington, D C 20554

In the Matter of) MM Docket No 01-5
) RM-10028
Amendment of Section 73.202(b)) RM-10107
Table of Allotments,)
FM Broadcast Stations)
)
(Butler and Reynolds, Georgia))

RECEIVED

AUG 12 2003

To Assistant Chief, Media Bureau

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

PETITION FOR LEAVE
TO FILE SUPPLEMENT TO OPPOSITION TO
PETITION FOR RECONSIDERATION
AND STATEMENT FOR THE RECORD

Fort Valley State University ("the University"), by its attorneys, and pursuant to Section 1.429 of the Commission's Rules, hereby respectfully files this petition for leave to supplement to its Opposition filed March 14, 2002, to the "Petition for Reconsideration" filed by H. David Hedrick ("Hedrick"). This updates the record in this proceeding by providing information on facts that have changed since the Commission released its *Report and Order, Butler and Reynolds, Georgia*, DA 02-204, released January 25, 2002 [67 Fed. Reg. 5956, published February 8, 2002] ("R&O"), that allotted FM Channel 245A to Reynolds, Georgia, reserving the allotment for noncommercial educational ("NCE") use. In the intervening time, The Broadcasters Club, made up of students of the University, has been granted a construction permit for a new low power FM station at Fort Valley, Georgia. The accompanying Supplement updates the record with this information, thus, good cause exists for its acceptance. See Section 4.415(d) of the Rules, *Winslow, Camp Verde, Mayer and Sun City, AZ*, 16 FCC Rcd 9551.

014

(2001)(acceptance of supplement containing material of which the Commission may take official notice)

WHEREFORE, the University respectfully urges the Commission to accept its accompanying Supplement to Petition for Reconsideration and Statement for the Record

Respectfully submitted,

FORT VALLEY STATE UNIVERSITY

A handwritten signature in black ink, appearing to read 'Gary S. Smithwick', written over a horizontal line.

By

Gary S. Smithwick
Special Assistant Attorney General
State of Georgia

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August 12, 2003

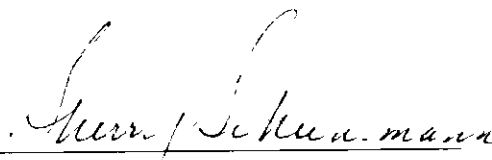
CERTIFICATE OF SERVICE

I, Sherry L. Schunemann, a secretary in the law offices of Smithwick & Belendiuk, P.C., certify that on this 12th day of August, 2003, copies of the foregoing were mailed by First Class U.S. Mail, postage prepaid, to the following

Ms. Nancy Joyner
Mass Media Bureau
Federal Communications Commission
The Portals II
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Mr. H. David Hedrick
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(Petitioner)

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Sherry L. Schunemann

*by hand